

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

973

CA 21-00037

PRESENT: WHALEN, P.J., SMITH, LINDLEY, CURRAN, AND DEJOSEPH, JJ.

ROBERT T. VAN DE MARK, PLAINTIFF-APPELLANT,

V

ORDER

MBR CAPITAL PARTNERS, LLC, ET AL., DEFENDANTS.
(ACTION NO. 1.)

TRACEY TAYLOR, FORMERLY KNOWN AS TRACEY
BERNARDONI, PLAINTIFF-RESPONDENT,

V

ROBERT T. VAN DE MARK, DEFENDANT-APPELLANT,
ET AL., DEFENDANTS.
(ACTION NO. 2.)
(APPEAL NO. 2.)

THE LAW OFFICE OF ANNEMARIE E. STEWARD, WILLIAMSVILLE (ANNEMARIE E.
STEWART OF COUNSEL), FOR PLAINTIFF-APPELLANT AND DEFENDANT-APPELLANT.

ADDELMAN CROSS & BALDWIN, PC, BUFFALO (JESSE B. BALDWIN OF COUNSEL),
FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 15, 2020. The order granted the motion of Tracey Taylor, formerly known as Tracey Bernardoni, to vacate a judgment and denied the motion of plaintiff Robert T. Van De Mark to amend a judgment nunc pro tunc.

It is hereby ORDERED that the order so appealed from is affirmed without costs for reasons stated in the decision at Supreme Court.

All concur except DEJOSEPH, J., who is not participating.

Entered: January 28, 2022

Ann Dillon Flynn
Clerk of the Court